



CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 10/29/02
AGENDA ITEM 7
WORK SESSION ITEM _____

TO: Mayor and City Council

FROM: City Clerk

SUBJECT: An Ordinance Repealing Article 15 of Chapter 10 of the Hayward Municipal Code and Enacting a New Ordinance for Tree Preservation

RECOMMENDATION:

It is recommended that the City Council adopt the attached Ordinance.

BACKGROUND:

The ordinance was introduced at the October 15, 2002, meeting of the City Council with the following vote:

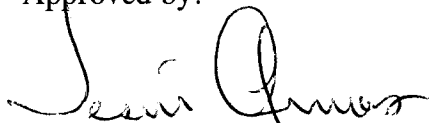
AYES:	Council Members:	Hilson, Rodriquez, Ward, Dowling, Henson
NOES:	Council Members:	Jimenez
	Mayor:	Cooper
ABSENT:	Council Members:	None
ABSTAIN:	Council Members:	None

The ordinance was published in the Hayward Daily Review on October 23, 2002. Adoption at this time is therefore appropriate.

Prepared by:


Angelina Reyes, City Clerk

Approved by:


Jesús Armas, City Manager

Draft Ordinance

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY
COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE REPEALING ARTICLE 15 OF CHAPTER
10 OF THE HAYWARD MUNICIPAL CODE AND
ENACTING A NEW ORDINANCE FOR TREE
PRESERVATION

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Article 15 of Chapter 10 of the Hayward Municipal Code is hereby repealed and, in substitution thereof, a new Article 15 of Chapter 10 of the Hayward Municipal Code is hereby enacted to read as follows:

“ARTICLE 15
TREE PRESERVATION

10-15.10	PURPOSE AND INTENT
10-15.11	APPLICATION OF THE ORDINANCE
10-15.12	DEFINITIONS
10-15.13	PROTECTED TREES
10-15.14	PRESERVATION OF PROTECTED TREES
10-15.15	NON-LIABILITY OF CITY
10-15.20	PERMITS REQUIRED
10-15.21	APPLICATION FOR PERMIT
10-15.22	CRITERIA FOR EVALUATION APPLICATIONS
10-15.23	CONDITIONS OF APPROVAL
10-15.24	EXCEPTIONS
10-15.25	PERMIT APPEALS
10-15.26	PENALTIES; APPEALS
10-15.27	COLLECTION OF PENALTIES
10-15.28	MISDEMEANOR; INJUNCTION RELIEF
10-15.29	IMPOSITION OF LIEN
10-15.30	DURATION OF PERMIT
10-15.31	REVOCATION OF PERMIT

Section 2. If any section, subsection, paragraph or sentence of this Ordinance, or any part thereof, is for any reason found to be unconstitutional, invalid or beyond the authority of the City of Hayward by a court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance.

Section 3. This Ordinance shall become effective sixty (60) days after adoption by the City Council.

Introduced at a regular meeting of the Hayward City Council held October 15, 2002, the above-entitled ordinance was introduced by Council Member Hilson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on October 29, 2002, at 8:00 p.m., in the Council Chambers, 777 B Street, Hayward, California. Copies of the full text of this ordinance are available for examination by the public in the Office of the City Clerk, 777 B Street, Hayward Public Main Library, 835 "C" Street, or the Weekes Branch Library, 27300 Patrick Avenue.

DATED: October 23, 2002

ANGELINA REYES
CITY CLERK OF THE
CITY OF HAYWARD